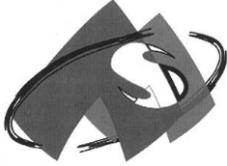


# AIR SPORT AUSTRALIA CONFEDERATION



## AIR SPORT AUSTRALIA CONFEDERATION Response to the Aviation Safety Regulation Review Report

29/06/2014

Submitted direct via the web. Hard copy available if required (contact details below)

Response submitted by the Air Sport Australia Confederation (ASAC) including the AAC, (Australian Aerobatic Club), ABF (Ballooning), APF (Parachuting), GFA (Gliding), the HGFA (Hang Gliding) and the MAAA (Aeromodelling).

This submission represents the combined views of the ASAC Air Sport Organisations.

ASAC consents to having its name published as a respondent to the Discussion Paper

Response prepared by Dr. R. J. (Bob) Hall, Chair of the Technical Committee, ASAC.

### THE AVIATION SAFETY REGULATION REVIEW REPORT

#### INTRODUCTION

The report by the Aviation Safety Regulation Review Panel is an excellent, very detailed and comprehensive discussion of what is needed to put aviation regulation back on track. All but one of these recommendations is justified, and I cannot think of any further change which has been missed by this report.

The Air Sport Organisations represented by ASAC are self-administering. These organisations have a track record over many decades of delivering superior safety outcomes – superior to those delivered by CASA for GA.

For example the GFA delivers an accident rate less than half that for GA despite the inherently more dangerous nature of gliding operations.

The Air Sport Organisations are able to deliver these superior safety outcomes specifically because self-administration allows the organisations to use their own safety management processes – with monitoring and supervision in depth, and safety training, by respected peers etc. This approach cannot be provided from the outside – ie by CASA. Because of this, the Self-administering Organisations need to work closely with the Regulator but still be at arms length<sup>1</sup>. This required level of separation places special requirements on the performance of the Regulator (CASA). Accordingly, this response will deal with those recommendations which are specifically important to self-administration first.

The response will then deal with those recommendations which ASAC and the Air Sport Organisations believe have special merit for the whole of the Industry.

Finally a very brief comment is attached in a table to all recommendations in order to assist clarity.

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<sup>1</sup> Australia is unique in relying on a form of self-administration which gives the greatest scope to the Air Sport Organisations to implement their own safety processes. (The New Zealand self-administration model leaves much greater influence over day to day safety actions in the hands of the CAA.) Nevertheless, essentially all advanced aviation countries rely heavily on safety processes implemented by the relevant Air Sport Aviation Organisations via their club systems. International experience shows that achievement of the best safety outcomes depends on the full implementation of these processes and, particularly in the Australian context, this arms length cooperation is best implemented, as now, by the Australian self-administration approach

## **RECOMMENDATIONS SPECIFICALLY NECESSARY TO SELF-ADMINISTRATION**

Firstly, while it is not a specific recommendation, the Report clearly agrees that, within the Australian context, the Air Sport Organisations should continue to be self-administering. This approach is justified by the superior safety outcomes delivered over decades, especially by the Air Sport Organisations.

If these superior safety outcomes are to be maximised and maintained, the organisations must be enabled to rely on their own processes free from direct interference by CASA. Direct involvement by CASA in day to day safety actions runs the risk of short circuiting and undermining the actions taken by the organisation, to the detriment of safety effectiveness.

Nevertheless, as clearly stated by the Review Panel, it is recognised that CASA, as the Regulator, has final responsibility for safe outcomes. This clearly must result in a degree of tension – which is actually a good thing.

### **Regulation to Implement Self-administration**

This arms length cooperation with CASA holding the final authority depends on a regulatory approach in which CASA sets, by regulation, the outcomes which must be achieved by the self-administering organisations and the organisations are allowed to define processes within their manuals by which these outcomes are to be achieved. CASA must further exercise their responsibility by indicating acceptance of these processes by approval of these manuals.

Accordingly recommendation 30 that;

*30. The Civil Aviation Safety Authority changes the current two-tier regulatory framework (act and regulations) to a three-tier structure (act, regulations and standards), with:*

- a. regulations drafted in a high-level, succinct style, containing provisions for enabling standards and necessary legislative provisions, including offences*
- b. the third-tier standards drafted in plain, easy to understand language.*

is of special importance for self-administrating organisations – but with the third tier being largely the operational and airworthiness manuals of the organisations themselves.

This response will have more to say about the general consequences of this important recommendation, below.

Accordingly, ASAC and the ASAC Air Sport Organisations strongly support Recommendation 30 (as implemented above), as being essential to the implementation of self-administration and of great importance to the Industry as a whole.

### **Audit processes.**

In implementing self-administration, CASA must meet its obligations by maintaining ongoing careful audit processes. Nobody enjoys being audited – but it is well recognised by all Air Sport Organisations that audit by CASA is an essential and very important part of the overall safety processes – and these audits are welcomed as an essential means of improving both the actual processes within the organisations, and the standing of these processes, in the minds of our members.

Accordingly the recommendations regarding audit processes are of central importance to the Air Sport Organisations.

Audit process as they affect the self-administering organisations, have not been well handled and all but one of the several recommendations regarding audit processes are strongly supported by ASAC and the Air Sport Organisations as fundamental to the success of self-administration;

24. *The Civil Aviation Safety Authority provides full disclosure of audit findings at audit exitbriefings in accordance with international best practice.*
26. *The Civil Aviation Safety Authority assures consistency of audits across all regions, and delivers audit reports within an agreed timeframe.*
16. *The Civil Aviation Safety Authority finalises its Capability Framework and overhauls its training program to ensure identified areas of need are addressed, including:*
  - a. *communication in a regulatory context*
  - b. *decision making and good regulatory practice*
  - c. *auditing.*
25. *The Civil Aviation Safety Authority introduces grading of Non-Compliance Notices on a scale of seriousness.*

The discussion in the report covers the ASAC concerns and need not be repeated here except to express total support of these comments in the review.

ASAC is not inclined to support recommendation 27;

27. *The Civil Aviation Safety Authority implements a system of using third-party commercial audits as a supplementary tool to its surveillance system.*

at least so far as the self-administering organisations are concerned. Past experience with external contracting Organisations has been exceptionally poor, and ASAC, and the Air Sport Organisations would reject any proposal for audit by any other than CASA. It may well be that the Review Panel had other segments in mind when recommending this proposal.

### **Penalty Provisions and Reliance on Enforcement**

Self-administration provides an essential opportunity for the Air Sport Organisations to take first actions in the event of any safety occurrence involving their members. This first action will be very strictly via a 'just culture' approach and individuals willingly involving themselves in a safety management approach to safety occurrences, will not be considered for enforcement action. (Except, of course, as described in the Review Recommendation, below, where the circumstances of the infringement are so serious that immediate enforcements is required.)

If enforcement action is forced on the organisations by a refusal to willingly be involved in this just culture approach, the organisation will take the first steps through its own membership rules. Only should these fail will CASA be involved – at the request of the Organisations

(CASA will, of course, have the ability to take any safety action it deems necessary but will normally allow the organisation to act first and only take action at its own instigation where CASA believes the organisation has not acted appropriately.)

Accordingly ASAC strongly supports recommendations:

14. *The Civil Aviation Safety Authority changes its regulatory philosophy and, together with industry, builds an effective collaborative relationship on a foundation of mutual understanding and respect.*
17. *The Civil Aviation Safety Authority publishes and demonstrates the philosophy of 'just culture' whereby individuals involved in a reportable event are not punished for actions, omissions or decisions taken by them that are commensurate with their experience and training. However, actions of gross negligence, willful violations and destructive acts should not be tolerated.*
32. *The Civil Aviation Safety Authority reassesses the penalties in the Civil Aviation Safety Regulations.*

18. *The Civil Aviation Safety Authority reintroduces a 'use of discretion' procedure that gives operators or individuals the opportunity to discuss and, if necessary, remedy a perceived breach prior to CASA taking any formal action. This procedure is to be followed in all cases, except where CASA identifies a Serious and Imminent Risk to Air Safety.*

### **Registration of Aircraft**

ASAC is unsure regarding the intent of Recommendation 29, namely:

29. *Recreational Aviation Administration Organisations, in coordination with the Civil Aviation Safety Authority, develop mechanisms to ensure all aircraft to be regulated under CASR Part 149 are registered.*

ASAC and the Air Sport Organisations would not support a general recommendation that all aircraft operating under Part 149 need be registered as VH registered aircraft. ASAC notes that gliders operating under the GFA are registered under CASA as VH registered aircraft and that, by and large, (especially if audit processes are improved to an acceptable level) this is a functional approach. ASAC would not agree that other simpler aircraft such as those which operate under the HGFA and the ABF (balloons) need be registered with CASA as VH registered aircraft.

If the Review Panel is responding to the fact that there are many such aircraft whose registration has lapsed, whose whereabouts is unknown, and which may still be being operated (illegally), then correction of this situation is obviously necessary – ASAC would point out that considerable attempts are already under way to deal with the issue.

ASAC would support a review of the processes for registration of aircraft operating under Part 149 leading to greater assurance of these processes and perhaps some conversion of registration to the normal VH register WHERE JUSTIFIED but not to a blanket change to VH registration for all such aircraft.

### **Aviation Security Identification Card**

ASAC and the Air Sport Organisations very strongly support Recommendation 36, namely

36. *The Australian Government amends regulations so that background checks and the requirement to hold an Aviation Security Identification Card are only required for unescorted access to Security Restricted Areas, not for general airside access. This approach would align with international practice.*

The Air Sport operations are mostly regional based and these requirements frequently affect operations unnecessarily. ASAC would not wish to do anything which reduces security but a review of where these requirements are applied is long overdue and would have a very big effect in reducing costly, unnecessary regulation and restrictions on the Industry.

### **Accident Investigation**

ASAC and all of Sport and Recreational Aviation have long been opposed to the Governmental restriction on the ATSB which prevents the ATSB from making safety based decisions as to which accidents should be investigated. Sport and Recreational Aviation is coming under much increased surveillance in the interests of safety outcomes (and ASAC is not reacting against that decision ) but as part of the same change in policy, the Sport and Recreational Aviation organisations believe that it is essential to the best safety outcomes, that the ATSB be allowed to use its judgment as to which accidents should be the subject of a full investigation without interference from the Government. or the Department.

Accordingly ASAC and the Air Sport Organisations very strongly support recommendation 3:

3. *The Australian Transport Safety Bureau investigates as many fatal accidents in the Sport and Recreational Aviation sector as its resources will allow.*

But ASAC would go further and add that the ATSB should be specifically provided with adequate additional funding such that some such investigations – as chosen by the ATSB with advice from the sector – can be carried out.

### **Indemnity of delegates**

As many of our members will carry delegations – many on a volunteer basis – it is essential that these delegates be provided with indemnity, Accordingly ASAC insists that Recommendation 15 is essential if the current system is to be workable.

*15. The Civil Aviation Safety Authority continues to provide appropriate indemnity to all industry personnel with delegations of authority.*

## **RECOMMENDATIONS OF MORE GENERAL IMPORTANCE**

The following recommendations relating to the more general structure of regulatory processes within the industry are not only of relevance to the Air Sport Organisations but are of great significance to all of the industry.

There have been suggestions that CASA be required to ‘foster’ the Aviation Industry and that standards and enforcement be separated with the Department being required to develop safety rules and CASA be required to police these rules.

ASAC agrees with the Review Panel that, while the outcomes of these suggestions are very important, some unintended outcomes arising from these changes make them undesirable today.

These outcomes are better pursued by means of the recommendations made by the Panel as follows.

- 1. The Australian Government develops the State Safety Program into a strategic plan for Australia’s aviation safety system, under the leadership of the Aviation Policy Group, and uses it as the foundation for rationalising and improving coordination mechanisms.*
- 2. The Department of Infrastructure and Regional Development plays a stronger policy role in the State Safety Program.*
- 6. The Civil Aviation Safety Authority’s Board exercises full governance control. The non-executive directors should possess a range of appropriate skills and backgrounds in aviation, safety, management, risk, regulation, governance and government.*

The review report amply describes what these recommendations would achieve and these will not be reviewed here.

ASAC and the Air Sport Organisations strongly support these crucial high level structural changes. In particular ASAC has consistently argued that the Department and the Government must take a much more proactive and specific approach to setting the agenda, and strategic planning in general, as suggested by the recommendations and detailed in the discussion in the review report.

### **Altering the culture**

ASAC supports the view that there has been breakdown in the relationship between the Industry and CASA and we strongly support the recommendations aimed at repair of that relationship.

*7. The next Director of Aviation Safety has leadership and management experience and capabilities in cultural change of large Organisations. Aviation or other safety industry experience is highly desirable.*

*34. The Civil Aviation Safety Authority’s Director of Aviation Safety meet with industry sector leaders to jointly develop a plan for renewing a collaborative and effective Standards Consultative Committee.*

37. *The Civil Aviation Safety Authority amends the current Terms of Reference of the Industry Complaints Commissioner so that:*

- a. the ICC reports directly to the CASA Board*
- b. no CASA staff are excluded from the ICC's jurisdiction*
- c. the ICC will receive complaints that relate to both the merits and the process of matters*
- d. on merits matters, including aviation medical matters, the ICC is empowered to convene an appropriately constituted review panel, chaired by a CASA non-executive director, to review the decision*
- e. while all ICC findings are non-binding recommendations, the original decision-maker is required to give reasons to the CASA Board if a recommendation is not followed*

### **Regulatory Approach and Regulatory Review**

The Review Panel made a number of recommendations aimed at the completion of the regulatory review and at the nature of the regulatory approach by CASA.

The recommendations below aimed at some necessary changes in this area are also strongly supported by ASAC and the Air Sport Organisations:

Firstly the comments made regarding the return to three tiers of legislation are strongly supported – especially as described by the review Panel – not back to the Act, Regulations and Orders – but to a three tier system consisting of the Act, Regulations and Standards, with the intent that the regulations be largely outcome based (as suggested in the Appendix A6 of the report), and plain English rules in the third tier with enforcement based on the Regulations only.

Recommendation 30 repeated here to emphasise the issues of general application rather than as applied to self-administration

30. *The Civil Aviation Safety Authority changes the current two-tier regulatory framework (act and regulations) to a three-tier structure (act, regulations and standards), with:*

- a. regulations drafted in a high-level, succinct style, containing provisions for enabling standards and necessary legislative provisions, including offences*
- b. the third-tier standards drafted in plain, easy to understand language.*

Further, as regards the more general application of this recommendation, ASAC believes that aviation regulation in Australia, and Internationally, remains reluctant to implement modern approaches to safety regulation – specifically, outcome based regulations – preferring to rely on centrally imposed, prescriptive regulation with compliance based almost entirely on enforcement. Lip service is given to outcome based regulations and compliance achieved by individual responsibility rather than enforcement – but CASA and the International Aviation Community (ICAO) continue to prefer the apparent reliability of centrally imposed prescriptive rules.

Decades of experience now shows that centrally imposed, prescriptive rules make the Regulator feel good, but outcome based rules, which make the individual operator responsible, backed by appropriate operator training and education (T&E), deliver the best safety outcomes.

The common reaction to this statement is to say that any outcome based rule set will need some prescriptive requirements – and this is probably true. However, centrally imposed, prescriptive rules are seductive, because they are easy to devise, implement and enforce. Unfortunately, they also undermine individual responsibility, are, in general, too rigid and tend to treat the symptom, not the cause. Further, well intentioned, but fundamentally lazy, elements within the Industry can welcome this approach – a ‘just tell me what to do to be safe and I will do it’ attitude.

In fact it is possible to get a regulatory system which is lazy in this sense, from the top to the bottom – including the Parliament, the Judiciary, the Department, the Regulator and the Industry. Safety outcomes deteriorate and the easy response is to impose more and more prescriptive rules from the center in an urgent attempt to address specific accidents – when what is needed is a

system wide careful analysis of underlying causes based on an approach such as is detailed in the FAA document 'Human Factors Analysis and Classification System – HFACS (DOT/FAA/AM-007)

A case could be made that the Australian industry is tending in this direction at this juncture.

It is just these facts which require the approach, described above, to regulation of the Air Sports sector via self-administration, and it is this approach which is the basis of co-regulation – which is gaining support by the more enlightened segments of the Industry.

The aviation regulatory system in Australia urgently needs to needs to adopt such modern approaches more widely

Accordingly, ASAC supports the following:

31. *The Civil Aviation Safety Authority structures all regulations not yet made with the three-tier approach, and subsequently reviews all other Civil Aviation Safety Regulation Parts (in consultation with industry) to determine if they should be remade using the three-tier structure.*
33. *The Civil Aviation Safety Authority applies a project management approach to the completion of all Civil Aviation Safety Regulation Parts not yet in force, with drafting to be completed within one year and consultation completed one year later, with:*
  - a. *a Steering Committee and a Project Team with both CASA and industry representatives*
  - b. *implementation dates established through formal industry consultation.*

Finally on this context a better implementation of the classification of operations is critical to the targeting of protection and to avoidance of unnecessary restriction by imposed regulations

28. *The Civil Aviation Safety Authority establishes a safety oversight risk management hierarchy based on a categorisation of operations. Rule making and surveillance priorities should be proportionate to the safety risk.*

#### **Overlap between CASA and Airservices.**

ASAC believes that the following recommendation will reduce redundancy and improve efficiency and is therefore supported.

12. *The Civil Aviation Safety Authority delegates responsibility for the day-to-day operational management of airspace to Airservices Australia, including the designation of air routes, short-term designations of temporary Restricted Areas, and temporary changes to the classification of airspace for operational reasons.*

#### **Medical Certificates**

ASAC strongly supports the recommendation that DAME be authorised to renew medical certificates

35. *The Civil Aviation Safety Authority devolve to Designated Aviation Medical Examiners the ability to renew aviation medical certificates (for Classes 1, 2, and 3) where the applicant meets the required standard at the time of the medical examination*

Summary of all recommendations is attached:

  
Dr R. J. Hall  
Vice president and chair of the technical committee  
ASAC  
29/06/14

## Appendix Summary of ASAC Responses to Specific Recommendations

1. The Australian Government develops the State Safety Program into a strategic plan for Australia's aviation safety system, under the leadership of the Aviation Policy Group, and uses it as the foundation for rationalising and improving coordination mechanisms.	Strongly support Australia needs an overall strategic plan
2. The Department of Infrastructure and Regional Development plays a stronger policy role in the State Safety Program.	Strongly agree
3. The Australian Transport Safety Bureau investigates as many fatal accidents in the Sport and Recreational Aviation sector as its resources will allow.	Strongly agree
4. The Australian Transport Safety Bureau and the Civil Aviation Safety Authority utilise the provision in their bilateral Memorandum of Understanding to accredit CASA observers to ATSB investigations.	Neutral
5. The Australian Government appoints an additional Australian Transport Safety Bureau Commissioner with aviation operational and safety management experience.	Neutral
6. The Civil Aviation Safety Authority's Board exercises full governance control. The non-executive directors should possess a range of appropriate skills and backgrounds in aviation, safety, management, risk, regulation, governance and government.	Strongly agree
7. The next Director of Aviation Safety has leadership and management experience and capabilities in cultural change of large Organisations. Aviation or other safety industry experience is highly desirable.	Strongly agree
8. The Civil Aviation Safety Authority: a. reinstates publication of Key Performance Indicators for service delivery functions a. reinstates publication of Key Performance Indicators for service delivery functions b. conducts a stakeholder survey every two years to measure the health of its relationship with industry c. accepts regulatory authority applications online unless there is a valid technical reason against it d. adopts the same Code of Conduct and Values that apply to the Australian Public Service under the Public Service Act 1999.	Neutral
9. The Civil Aviation Safety Authority develops a staff exchange program with industry.	Neutral
10. Airservices Australia, in conjunction with the Department of Infrastructure and Regional Development and the Civil Aviation Safety Authority, reconsiders the policy on 'Assessment of Priorities' that stipulates that air traffic controllers sequence arriving aircraft based on category of operation, rather than on the accepted international practice of 'first come, first served'.	Neutral
11. The Australian Transport Safety Bureau and the Civil Aviation Safety Authority amend the wording of their existing Memorandum of Understanding to make it more definitive about interaction, coordination, and cooperation.	Neutral

12. The Civil Aviation Safety Authority delegates responsibility for the day-to-day operational management of airspace to Airservices Australia, including the designation of air routes, short-term designations of temporary Restricted Areas, and temporary changes to the classification of airspace for operational reasons	Agree
13. The Department of Infrastructure and Regional Development and Department of Defense (and appropriate agencies) establish an agreed policy position on safety oversight of civil operations into joint user and military airports.	Neutral
14. The Civil Aviation Safety Authority changes its regulatory philosophy and, together with industry, builds an effective collaborative relationship on a foundation of mutual understanding and respect.	Strongly agree
15. The Civil Aviation Safety Authority continues to provide appropriate indemnity to all industry personnel with delegations of authority.	Necessary
16. The Civil Aviation Safety Authority finalises its Capability Framework and overhauls its training program to ensure identified areas of need are addressed, including: a. communication in a regulatory context b. decision making and good regulatory practice c. auditing.	Strongly agree especially auditing processes.
17. The Civil Aviation Safety Authority publishes and demonstrates the philosophy of 'just culture' whereby individuals involved in a reportable event are not punished for actions, omissions or decisions taken by them that are commensurate with their experience and training. However, actions of gross negligence, willful violations and destructive acts should not be tolerated.	Strongly agree
18. The Civil Aviation Safety Authority reintroduces a 'use of discretion' procedure that gives operators or individuals the opportunity to discuss and, if necessary, remedy a perceived breach prior to CASA taking any formal action. This procedure is to be followed in all cases, except where CASA identifies a Serious and Imminent Risk to Air Safety.	Agree
19. The Australian Transport Safety Bureau transfers information from Mandatory Occurrence Reports to the Civil Aviation Safety Authority, without redaction or de-identification.	Depends heavily on other changes
20. The Australian Transport Safety Bureau transfers its safety education function to the Civil Aviation Safety Authority.	Neutral
21. The Civil Aviation Safety Authority changes its organisational structure to a client-oriented output model.	Agree
22. The Civil Aviation Safety Authority establishes small offices at specific industry centres to improve monitoring, service quality, communications and collaborative relationships.	Agree but must ensure uniformity
23. The Civil Aviation Safety Authority shares the risk assessment outputs of Sky Sentinel, its computerised risk assessment system, with the applicable authorisation holder.	Agree

24. The Civil Aviation Safety Authority provides full disclosure of audit findings at audit exit briefings in accordance with international best practice.	Very Strongly agree
25. The Civil Aviation Safety Authority introduces grading of Non-Compliance Notices on a scale of seriousness	Agree
26. The Civil Aviation Safety Authority assures consistency of audits across all regions, and delivers audit reports within an agreed timeframe.	Strongly agree
27. The Civil Aviation Safety Authority implements a system of using third-party commercial audits as a supplementary tool to its surveillance system.	Disagree. Record of the use of consultants has not be a good.
28. The Civil Aviation Safety Authority establishes a safety oversight risk management hierarchy based on a categorisation of operations. Rule making and surveillance priorities should be proportionate to the safety risk.	Agree
29. Recreational Aviation Administration Organisations, in coordination with the Civil Aviation Safety Authority, develop mechanisms to ensure all aircraft to be regulated under CASR Part 149 are registered	Depends on which A/C are involved. Not appropriate for HGFA ABF and low end ultra lights. Does register mean VH registration?
30. The Civil Aviation Safety Authority changes the current two-tier regulatory framework (act and regulations) to a three-tier structure (act, regulations and standards), with: <ul style="list-style-type: none"> <li>a. regulations drafted in a high-level, succinct style, containing provisions for enabling standards and necessary legislative provisions, including offences</li> <li>b. the third-tier standards drafted in plain, easy to understand language.</li> </ul>	Strongly agree if drafting changes made as in example Appendix A6.
31. The Civil Aviation Safety Authority structures all regulations not yet made with the three-tier approach, and subsequently reviews all other Civil Aviation Safety Regulation Parts (in consultation with industry) to determine if they should be remade using the three-tier structure.	Strongly agree subject to above.
32. The Civil Aviation Safety Authority reassesses the penalties in the Civil Aviation Safety Regulations.	Very strongly agree
33. The Civil Aviation Safety Authority applies a project management approach to the completion of all Civil Aviation Safety Regulation Parts not yet in force, with drafting to be completed within one year and consultation completed one year later, with: <ul style="list-style-type: none"> <li>a. a Steering Committee and a Project Team with both CASA and industry representatives</li> <li>b. implementation dates established through formal industry consultation.</li> </ul>	Agree

34. The Civil Aviation Safety Authority's Director of Aviation Safety meet with industry sector leaders to jointly develop a plan for renewing a collaborative and effective Standards Consultative Committee.	Necessary
35. The Civil Aviation Safety Authority devolve to Designated Aviation Medical Examiners the ability to renew aviation medical certificates (for Classes 1, 2, and 3) where the applicant meets the required standard at the time of the medical examination	Strongly Agree
36. The Australian Government amends regulations so that background checks and the requirement to hold an Aviation Security Identification Card are only required for unescorted access to Security Restricted Areas, not for general airside access. This approach would align with international practice.	Strongly agree
37. The Civil Aviation Safety Authority amends the current Terms of Reference of the Industry Complaints Commissioner so that: <ul style="list-style-type: none"> <li>a. the ICC reports directly to the CASA Board</li> <li>b. no CASA staff are excluded from the ICC's jurisdiction</li> <li>c. the ICC will receive complaints that relate to both the merits and the process of matters</li> <li>d. on merits matters, including aviation medical matters, the ICC is empowered to convene an appropriately constituted review panel, chaired by a CASA non-executive director, to review the decision</li> <li>e. while all ICC findings are non-binding recommendations, the original decision-maker is required to give reasons to the CASA Board if a recommendation is not followed</li> </ul>	Agree